

1 PHILLIP A. TALBERT
United States Attorney
2 JEFFREY A. SPIVAK
Assistant United States Attorney
3 MISDEMEANOR UNIT
2500 Tulare Street, Suite 4401
4 Fresno, California 93721
Telephone: (559) 497-4000
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6 Attorneys for Plaintiff
UNITED STATES OF AMERICA
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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 SANTIAGO LOPEZMUNGUIA,
15 Defendant.
16

Case No. 1:20-mj-00035-SAB

JOINT STIPULATION TO MODIFY
CONDITION OF PROBATION PURSUANT
TO 18 U.S.C. § 3563(c); FED. R. CRIM. P.
32.1(c)(2)(A); and ORDER

17
18 The United States Attorney, by and through Phillip A. Talbert, United States Attorney, and
19 Jeffrey A. Spivak, Assistant United States Attorney, and Santiago LopezMunguia, Defendant, by and
20 through his counsel of record Oscar R. Swinton, Sr., hereby move to modify one condition of
21 defendant's probation, pursuant to 18 U.S.C. § 3563(c) (Modifications of Conditions); and Federal
22 Rules of Criminal Procedure, Rule 32.1(c)(2)(A).

23 On September 16, 2021, upon Defendant Santiago LopezMunguia's admission to Charge 1 of
24 the Petition, the Court sentenced the defendant to the following: "Probation modified and extended to
25 4/30/2022; Pay an additional fine of \$150.00, to be paid in full by 11/01/2021; Enroll and complete the
26 1st Time DUI Program by 1/31/2022. Proof to be provided to the court upon completion. All prior
27 orders not modified remain in full force and effect. Status report due 2 weeks prior to next hearing.
28 Appeal rights given. Defendant ordered to be present at next hearing. Warrant previously issued/held is

1 vacated/recalled. Probation Review Hearing set for 3/17/2022 at 10:00 AM in Courtroom 9 (SAB)
2 before Magistrate Judge Stanley A. Boone” (ECF No. 23).

3 At the Probation Review Hearing held on April 28, 2022, the Defendant’s probation was
4 modified and extended to May 31, 2023. A Probation Review Hearing was set for April 20, 2023, at
5 10:00 a.m. in Courtroom 9, before the Honorable Stanley A. Boone, with Defendant’s Status Report and
6 Proof of Completion of his DUI program to be submitted two weeks prior (by April 6, 2023). All prior
7 orders not modified are to remain in full force and effect.

8 The Defendant was previously ordered to enroll and complete the 1st Time DUI Program (ECF
9 No. 23). Pursuant to 18 U.S.C. § 3563(c) and Federal Rules of Criminal Procedure, Rule 32.1(c)(2)(A),
10 the parties hereby respectfully request that this Court modify this condition of Defendant’s probation
11 and allow defendant to remain enrolled and complete an 18-month DUI Program. Defendant expressly
12 waives the right to a hearing on this issue. Rule 32.1(c)(2)(A).

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14
15 DATED: April 28, 2022

Respectfully submitted,

16 PHILLIP A. TALBERT
17 United States Attorney

18 By: /s/ Jeffrey A. Spivak
JEFFREY A. SPIVAK
Assistant United States Attorney

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20 DATED: April 28, 2022

Respectfully submitted,

21 LAW OFFICES OF
22 OSCAR R. SWINTON

23 By: /s/ Oscar R. Swinton, Sr.
OSCAR R. SWINTON, Attorney for
24 Defendant, SANTIAGO LOPEZMUNGUIA

ORDER

IT IS HEREBY ORDERED that Defendant's probation be modified and that he be allowed to complete an 18-month DUI Program.

IT IS SO ORDERED.

Dated: April 28, 2022


UNITED STATES MAGISTRATE JUDGE